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11 *Attorneys for Defendant*
(Additional Counsel listed on Signature Pages)

12 **UNITED STATES DISTRICT COURT**
13
NORTHERN DISTRICT OF CALIFORNIA
14
OAKLAND DIVISION

15 IN RE: GOOGLE ANDROID) CASE NO. 11-MD-02264 JSW
16 CONSUMER PRIVACY LITIGATION) MDL No. 2264
17 _____)
18 This Document Relates to) STIPULATED VOLUNTARY
19 ALL CASES) DISMISSAL OF NON-
20 _____) PARTICIPATING PLAINTIFFS
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1 The parties in the above-entitled actions, by and through their respective attorneys, here-
2 by stipulate to the following:

3 WHEREAS, this consolidated Multidistrict Litigation proceeding consists of eight puta-
4 tive class actions that were centralized in this Court pursuant to orders of the U.S. Judicial Panel
5 on Multidistrict Litigation (“JPML”) dated August 8 and August 19, 2011;

6 WHEREAS, on September 21, 2011, the Court ordered that the eight cases centralized by
7 the JPML, as well as a ninth related action filed in this district, be consolidated for pretrial pur-
8 poses;

9 WHEREAS, the constituent complaints were brought by or on behalf of 18 individual
10 plaintiffs, including Juliann King, Julie Brown, Kayla Molaski, Kendrick Cochran, Nicholas
11 Lawrence, Sid Lajzer, Jon Pessano, Tracey Lipton, Joan Smith, Bryan Hicks, Phillip Hall, Bever-
12 ly Levine, Theodore Spradley, Erin Hillman, Maritsa Urias, Stan Hines, James Jefferys and Jes-
13 sica Jefferys;

14 WHEREAS, following appointment of Interim Co-Class Counsel on September 26, 2011,
15 plaintiffs filed a Consolidated Complaint on November 28, 2011, a First Amended Consolidated
16 Complaint (“FACC”) on January 23, 2012, and a Second Amended Consolidated Complaint
17 (“SACC”) on May 9, 2013, each of which removed certain individuals as named plaintiffs in this
18 action;

19 WHEREAS, plaintiff Juliann King voluntarily dismissed her constituent complaint on
20 May 9, 2013;

21 WHEREAS, as a result of these amendments and dismissal, Kayla Molaski, Erin Hill-
22 man, Stan Hines, Jon Pessano, Tracey Lipton, Julie Brown, Sid Lazjer, Bryan Hicks, Theodore
23 Spradley, James Jefferys, Jessica Jefferys, “M.G.” (a minor) or Juliann King are no longer partic-
24 ipating in these proceedings;

25 WHEREAS, on June 10, 2014 the Court ordered the parties to meet and confer regarding
26 whether constituent actions for which no plaintiff was named in the SACC should be dismissed;
27 and

1 WHEREAS, counsel for Google and Interim Co-Class Counsel agree that individuals not
2 named in the SACC, and any constituent actions in which no plaintiff is participating, should be
3 dismissed for all purposes;

4 IT IS SO AGREED that:

5 1. Plaintiffs in any constituent case that were not named as plaintiffs in the SACC are
6 hereby dismissed, except that such plaintiffs may participate in any settlement or jury
7 award to the same extent as all other unnamed plaintiffs. For the avoidance of doubt,
8 the claims of Kayla Molaski, Erin Hillman, Stan Hines, Jon Pessano, Tracey Lipton,
9 Julie Brown, Sid Lajzer, Bryan Hicks, Theodore Spradley, James Jefferys, Jessica
10 Jefferys, and "M.G.," are hereby dismissed.

11 2. Any constituent case in which all plaintiffs have been dismissed pursuant to the fore-
12 going are hereby dismissed. For the avoidance of doubt, the member cases *Brown v.*
13 *Google Inc.* (No. 11-cv-04573 JSW), *Lipton v. Google Inc.* (No 11-cv-02427 JSW),
14 and *Jefferys v. Google Inc.* (No. 11-cv-04429 JSW) are hereby dismissed.

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1 DATE: July 3, 2014

/s/ Michael H. Rubin

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23 *Attorneys for Defendant*

1 DATE: July 3, 2014

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21 ***Interim Co-Lead Class Counsel***

22 DATE: July 3, 2014

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29 ***Attorneys for Julie Brown and Kayla Molaski***

1 DATED: July 3, 2014

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11 *Attorneys for Tracey Lipton*

12 DATED: July 3, 2014

/s/ Brian W. Smith

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20 *Attorneys for James and Jessica Jefferys*

1 **CERTIFICATION**

2 I, Michael H. Rubin, am the ECF User whose identification and password are being used
3 to file this **STIPULATION RE: VOLUNTARY DISMISSAL OF NON-PARTICIPATING**
4 **PLAINTIFFS.** In compliance with Civil Local Rule 5-1(i), I hereby attest that William M. Au-
5 det, Steven T. Budaj, Gillian L. Wade, and Brian W. Smith have concurred in this filing.

6 DATE: July 3, 2014

/s/ Michael H. Rubin

7 Michael H. Rubin
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12 *Attorneys for Defendant*
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1 PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS

2 HEREBY ORDERED THAT

3 1. Plaintiffs in any constituent case that were not named as plaintiffs in the SACC, in-
4 cluding Kayla Molaski, Erin Hillman, Stan Hines, Jon Pessano, Tracey Lipton, Julie
5 Brown, Sid Lajzer, Bryan Hicks, Theodore Spradley, James Jefferys, Jessica Jefferys,
6 and "M.G." (a minor), are hereby dismissed.

7 2. Any constituent case in which all plaintiffs have been dismissed pursuant to the fore-
8 going are hereby dismissed, i.e., the member cases *Brown v. Google Inc.* (No. 11-cv-
9 04573 JSW), *Lipton v. Google Inc.* (No 11-cv-02427 JSW), and *Jefferys v. Google*
10 *Inc.* (No. 11-cv-04429 JSW), are hereby dismissed.

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12 SIGNED this 7th day of July, 2014.

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14 JEFFREY S. WHITE
15 UNITED STATES DISTRICT JUDGE

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